

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

ALLSTATE VEHICLE AND PROPERTY
INSURANCE COMPANY, AND ALLSTATE
INDEMNITY COMPANY,

Plaintiffs,

vs.

CARL FREDERICKS, JUDITH FREDERICKS, ERIC
JONES, MAURA HARRINGTON, AND MARYANN
HARRINGTON,

Defendants.

**STIPULATION OF NO
COVERAGE,
DISCONTINUANCE WITH
PREJUDICE, AND ORDER OF
DISMISSAL**

Civil Action No. 1:21-cv-1194
(TJM/CFH)

IT IS HEREBY STIPULATED AND AGREED by the undersigned, based on the Order of the Honorable Thomas J. McAvoy, Sr. U.S. District Judge, dated September 29, 2022, in the above captioned matter,¹ that there exists no coverage for defense or indemnification regarding the allegations in the Underlying Action in relation to the policies of insurance issued by the Plaintiffs to the Defendants, Carl Fredericks and Judith Fredericks, as alleged in the Plaintiffs' Complaint in this action and that as a result of this Order there exists no benefits for the Defendants, Eric Jones, Maura Harrington, and Maryann Harrington, under said policies and that said Defendants waive all rights and all claims they now have or may have in the future under the policies issued to Carl Fredericks and Judith Fredericks by the Plaintiffs regarding the allegations in the Underlying Action; and whereas no party hereto is an infant or incompetent person for whom a committee has been appointed and no person not a party has an interest in the subject matter of the action, the above-entitled action be, and the same hereby is discontinued, on the merits, as set forth herein, without costs to either party as against the other, and that the matter be dismissed.

¹ See, Pacer Document No. 25.

DATED: Buffalo, New York
October 14, 2022

HURWITZ FINE P.C.



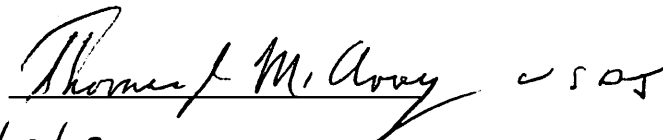
Lee S. Seigel, Esq.
Thomas Casella, Esq.
Attorneys for Defendants
Allstate Vehicle and Property Insurance Company
and Allstate Indemnity Company
The Liberty Building
424 Main Street, Suite 1300
Buffalo, New York 14202
(716) 849-8900
lss@hurwitzfine.com
tc@hurwitzfine.com

WILLIAM J. BETTER, P.C.



William J. Better, Esq.
Joseph Clyne, Esq.
Attorneys for Defendants
Eric Jones, Maura Harrington, and
Maryann Harrington
1 Albany Avenue
Kinderhook, New York 12106
(518) 758-1511
williamjbetter@williamjbetterpc.com
josephdclyne@williamjbetterpc.com

SO ORDERED:


11/7/22